

McLennan County court-at-law  
(HB 3148 by Denton/Edwards)

DIGEST: HB 3148 would have granted two McLennan County courts-at-law jurisdiction over third-degree felony cases and authority to conduct arraignments, pre-trial hearings, guilty pleas and probation revocations in all felony cases. The courts would have been directed to give preference to, and take primary responsibility for, misdemeanor criminal cases. A ceiling on civil jurisdiction would have been increased from \$20,000 to \$50,000. A \$20,000 ceiling on the salary paid to judges of these courts would have been removed, and the judges would have been prohibited from private law practice.

GOVERNOR'S  
REASON  
FOR VETO:

General felony jurisdiction has been vested by the Legislature in the district courts of this state and not in statutory county courts or constitutional county courts. This derives from the philosophy that individuals whose punishment can include incarceration within the state correctional system should be subject to state courts. As district courts are state-funded and vacancies are subject to the appointive powers of state officials, including the Texas Senate, all felony prosecutions should continue to fall solely and exclusively within the purview of these courts.

RESPONSE: Rep. Betty Denton, the author of HB 3148, said the bill would have accomplished the same purposes as another district court without substantial cost to the state and the county. "This bill would have allowed the courts to process prisoners in the county's jails, which are full to overflowing, more quickly and more efficiently," she said. "It has been said that justice delayed is justice denied. This veto is just going to serve to further delay justice. The real losers are going to be the residents of McLennan County," said Rep. Denton.

NOTES: HB 3148 was considered on the Local Calendar and was not analyzed in a Daily Floor Report.